

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:11CR3023
)	
v.)	
)	
CHRISTIAN G. LUPERCIO,)	MEMORANDUM AND ORDER
)	
Defendant.)	

The defendant has moved to continue the trial currently set for May 9, 2011. (Filing No. 23). Defense counsel states additional time is needed for trial preparation. The government does not oppose the continuance. Based on the showing set forth in the defendant's motion, and after conferring with counsel, the court finds the motion to continue should be granted.

IT IS ORDERED:

- 1) The defendant's unopposed motion to continue, (filing no. 23), is granted.
- 2) The trial of this case is set to commence before the Honorable Richard G. Kopf at 9:00 a.m. on July 18, 2011, or as soon thereafter as the case may be called, for a duration of five (5) trial days, in Courtroom 1, United States Courthouse, Lincoln, Nebraska. Jury selection will be held at commencement of trial.
- 3) Based on the showing set forth in the defendant's motion and the representations of defense counsel, the Court further finds that the ends of justice served by continuing the trial outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and July 18, 2011 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7)(A).

May 3, 2011

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge